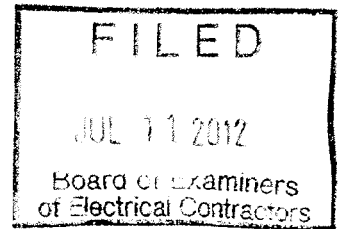


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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY BOARD OF EXAMINERS
OF ELECTRICAL CONTRACTORS

IN THE MATTER OF THE LICENSE OF

ANTHONY J. CATALANO, Jr.
t/a CATTYCO ELECTRIC CO. INC.
License & Business Permit No. 7623

TO PRACTICE ELECTRICAL
CONTRACTING IN THE STATE OF
NEW JERSEY

Administrative Action

FINAL ORDER
OF DISCIPLINE

This matter was opened to the New Jersey Board of Examiners of Electrical Contractors ("Board") upon receipt of information which the Board has reviewed, and on which the following preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Respondent, Anthony J. Catalano, Jr. is the holder of license and business permit #7623 and was licensed to engage in electrical contracting in the State of New Jersey, as Cattyco Electric Co. Inc. until March 31, 2006 after which time respondent permitted his business permit to lapse. As a result, respondent's business permit was suspended by application of N.J.S.A. 45:1-7.1(b). Respondent's individual license is currently active.

2. On June 29, 2010, the Board received a complaint from the electrical subcode official for the Township of Sparta. Accompanying the complaint, was an electrical subcode technical section application reflecting the contractor of record as Cattyco, License No. 7623. The information received indicates respondent submitted the electrical subcode application for Cattyco Electric Co. Inc. during the time that respondent's business permit for Cattyco Electric Co. Inc. was suspended by application of N.J.S.A. 45:1-7.1(b).

3. In response to the complaint, the Board received a letter from respondent dated October 12, 2010. Respondent stated that his failure to renew his business permit was an "oversight". Respondent indicated he was not aware his business permit had lapsed until he was

informed by the subcode official.

4. Respondent returned his pressure seal to the Board on November 8, 2010.

CONCLUSIONS OF LAW

The above findings of fact provide grounds for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:1-21(h), in that he has violated and failed to comply with the provisions of an act or regulation administered by the Board. Specifically, respondent violated N.J.S.A. 45:5A-9(a) which states that no person shall advertise, enter into, or engage in or work in business as an electrical contractor, unless such person has secured a business permit. The above preliminary findings of fact also provide grounds for disciplinary action against respondent's license, pursuant to N.J.S.A. 45:1-21(n), in that respondent has permitted an unlicensed entity to perform an act for which a license or certificate of registration is required by the Board.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline was entered on September 7, 2011, provisionally imposing a public reprimand on respondent, provisionally suspending respondent's business permit as a disciplinary action, and provisionally assessing a \$500.00 penalty.

A copy of the Provisional Order was forwarded to respondent at the last known address on file with the Board by certified and regular mail. The provisional Order was subject to finalization by the Board at 5:00 p.m. on the 30th business day following entry unless respondent requested a modification or dismissal of the Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting respondent's request for consideration and reasons therefor.

Following the entry and service of the Provisional Order of Discipline, respondent forwarded \$100 to the Board toward the \$500 civil penalty provisionally assessed against him. Respondent also submitted an application to reinstate his business permit. The Board reinstated respondent's business permit on October 2, 2011.

Respondent did not provide a written request for modification or dismissal of the provisional Findings of Fact or Conclusions of Law. As a result, the Board deems respondent's payment of the \$100 toward the civil penalty, as well as his failure to provide a written request for modification or dismissal of the Provisional Order, as respondent not contesting the Board's provisional findings. Therefore, the Board hereby finalizes the Provisional Order of Discipline.

ACCORDINGLY, IT IS on this 11 day of July, 2012
HEREBY ORDERED THAT:

1. Respondent is reprimanded for having violated N.J.S.A. 45:1-21(h) and N.J.S.A. 45:1-21(n).
2. Respondent's business permit to engage in electrical contracting in the State of New Jersey, which was previously suspended administratively by operation of N.J.S.A. 45:1-7.1, shall now be considered to have been a disciplinary suspension for having violated N.J.S.A. 45:1-21(h) and N.J.S.A. 45:1-21(n). The length of the disciplinary suspension of respondent's business permit is consistent with the previous administrative suspension (i.e. April 1, 2006 to October 2, 2011).
3. Respondent is hereby assessed a civil penalty in the amount of \$500.00 for advertising, entering into, engaging in and working in business as an electrical contractor, without a valid business permit, in violation of N.J.S.A. 45:5A-9(a). The Board acknowledges payment of \$100 by respondent toward the \$500 civil penalty. Therefore, \$400 remains unpaid.
4. Respondent shall remit payment of the remainder of the civil penalty (\$400) by certified check or money order made payable to the State of New Jersey. The certified check or money order shall be delivered to Executive Director, State Board of Examiners of Electrical Contractors, 124 Halsey Street, Sixth Floor, P.O. Box 45006, Newark, New Jersey 07101. Payment shall be made no later than 15 days after the entry of this Final Order of Discipline. In the event respondent fails to make timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.
5. Failure to timely remit any and all payments required by this order will result in the filing of a certificate of debt with interest accruing at the rate provided by the Rules of Court, and may result in subsequent disciplinary proceedings for failure to comply with an order of the Board, which could include suspension and revocation of license and business permit.

NEW JERSEY BOARD OF EXAMINERS
OF ELECTRICAL CONTRACTORS

By: 

Joseph P. Schooley
Board Chairman